

McGREGOR W. SCOTT  
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IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,	) Case NO. 2:4-CR-0357 MCE
	)
Plaintiff,	)
	)
v.	) JOINT STIPULATION AND PROPOSED
	) ORDER TO CONTINUE BRIEFING AND
	) HEARING SCHEDULE AND FOR
	) CONTINUED EXCLUSION OF TIME
	)
RICHIE MISHAL,	)
FAISAL RASHID,	) Date: July 18, 2006
HASUNI KAHWAJI, and	) Time: 8:30 A.m.
PAMELA MOLNER,	) Court: Hon. Morrison C. England
	)
Defendants.	)
	)

Plaintiff, the United States of America, by and through its  
counsels of record, McGregor W. Scott, and Kymberly A. Smith, and  
the defendants through their attorneys: Clyde Blackmon, Hayes Gable  
III, David Dratman, Mark Waecker, and Alan Baum, hereby request  
that the evidentiary hearing currently set in this matter for  
August 1, 2006, at 8:30 a.m., be continued to September 12, 2006,  
at 8:30 a.m. The parties also request the following modified  
briefing schedule:

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Government's Response Due July 31, 2006

Defendants' Reply Due August 28, 2006

The reason for this continuance is to give the government the opportunity to respond to the defendants' supplemental discovery requests and to prepare a response to the defendants' motion(s) to suppress evidence. This request for continuance is also based on the need for counsel to prepare; and the availability of defense counsel two of whom live out of this district.

This Court has previously determined that this case is complex. Due to this finding and due to the foregoing, the parties therefore, request that time continue to be tolled from July 18, 2006, to and including September 12, 2006, pursuant to: (1) Local

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Code T4 and Title 18, U.S.C., §3161(h)(8)(B)(iv) (preparation of  
counsel); and (2) Local Code T2 and Title 18, U.S.C. §  
3161(h)(8)(B)(ii) (due to case complexity).

Respectfully Submitted,

McGREGOR W. SCOTT  
United States Attorney

DATED: June 26, 2006

By: /s/ Kymberly A. Smith  
Kymberly A. Smith  
Assistant U.S. Attorney

DATED: June 26, 2006

/s/ Hayes Gable  
Hayes Gable, Attorney  
For Defendant Richie Mishal

DATED: June 26, 2006

/s/ Clyde Blackmon  
Clyde Blackmon, Attorney  
For Defendant Faisal Rashid

DATED: June 26, 2006

/s/ David Dratman  
David Dratman, Attorney  
For Faisal Rashid

DATED: June 26, 2006

/s/ Alan Baum  
Alan Baum, Attorney  
For Pamela Molner

DATED: June 26, 2006

/s/ Mark Waecker  
Mark Waecker, Attorney  
For Hasuni Kahwaji

**ORDER**

For the reasons stated above, this Court finds that the  
interests of the public in a speedy trial are outweighed by the  
interests of justice in permitting the requested time due to the  
need for counsel to prepare and due to the complexity of this case.  
Accordingly, the parties' request to:

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1 1. Modify the briefing schedule as follows:

2 Government's Response due July 31, 2006

3 Defendant's Reply due August 28, 2006; and

4 2. To vacate the evidentiary hearing currently scheduled for  
5 August 1, 2006, and to continue the evidentiary hearing to  
6 September 12, 2006, be and the same hereby is **GRANTED**.

7 **IT IS FURTHER ORDERED** that time for trial pursuant to the  
8 Speedy Trial Act is **EXCLUDED** pursuant to Title 18, U.S.C., §§  
9 3161(h)(8)(B)(ii), and (h)(8)(B)(iv), and pursuant to Local Codes  
10 T2 and T4.

11 **IT IS SO ORDERED**

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13 DATE: July 11, 2006

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17 MORRISON C. ENGLAND, JR.  
18 UNITED STATES DISTRICT JUDGE  
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